City of Lafayette Staff Report

For:	City Council
By:	The Planning Division
Date Written:	January 17, 2009
Meeting Date:	January 26, 2009
Subject:	**Planning Division Work Plan for 2009**

Purpose

To approve of a list of long range planning studies to be completed in 2009.

2008: A Review

Planning Tasks

Since 2001, the City Council, Planning Commission and Design Review Commission have held annual joint meetings to consider and approve a yearly work plan for the planning division. This year's meeting will be held on January 26th and is the eighth annual work plan review.

In 2008, a total of two hundred and forty seven applications were processed and considered either by staff, the Design Review Commission or the Planning Commission (or in some cases, by all). The majority of these applications were requests for design review approval of residential additions, mostly in the hillside overlay district. Some of the notable applications considered in 2008 were Eden Housing's affordable housing project and the Lafayette Park Terrace condominiums. In November, Eden received approval from the Planning Commission to build a 46 unit affordable senior housing project. In December, Eden purchased the site and is in the process of assembling funds for construction.

Thirty four cases were handled by the Code Enforcement Officer last year; the majority of the complaints were regarding illegal signs, parking of RVs and trailers in front yards, excessive noise and tree removal without permits. The code enforcement officer also participated in the successful clean up of a poorly maintained, bank-owned home on Condit Road.

On the long-range planning side, progress was made on the Downtown Strategy, the housing element update, the house size study, the inclusionary housing ordinance and the Eastern Deer Hill Road study. Staff was also involved in the review of the regional housing allocations established by the State Department of Housing and Community Development (HCD) and the Association of Bay Area Governments (ABAG) as well as *Projections 2009* – ABAG's long range forecast of population, households and jobs.

In 2008, several Commissioners – both from the Planning and Design Review Commissions – continued to serve on task forces or subcommittees including the Downtown Strategy Advisory Committee, Senior Housing Task Force, Library Technical Committee, Environmental Strategy Task Force, and House Size Committee.

9A

The Annual Work Plan Review

As stated earlier, this is the eighth annual work plan prepared for the planning division and the Commissions it serves. The Planning Commission is scheduled to review the work plan on January 22nd. The following is a list of long-range tasks that were completed since we began this practice in 2001/2:

Long Range/Applications

1. General Plan update
2. Adoption of a State-certified housing element
3. Hillside ordinance update, 2002 and 2003
4. LR10 ordinance update and creation of the LR5 district
5. Lot line revision ordinance update
6. Grading ordinance update
7. A new public art ordinance
8. Parking development payment fee update
9. A new sports court ordinance
10. Revisions to the second unit ordinance
11. A new tree protection ordinance
12. A policy on temporary homeless shelters
13. Completion of the RR5 study, followed by a City-wide amendment to the general plan map and rezoning of parcels to LR5
14. A policy on public notification
15. A new construction and demolition debris recycling ordinance
16. An ordinance creating a new design review trigger – structures exceeding 17' in height
17. A revised flat fee structure for Planning services
18. A new recycled water ordinance
19. New regulations to implement the C.3 provisions of City's municipal stormwater discharge permit
20. Reasonable accommodations ordinance
21. Hillside ordinance revisions, 2006
22. Density bonus policy

23. Regulation of the demolition of buildings in the redevelopment project area
24. Updated code enforcement ordinances and a new code enforcement program
25. Revisions to the sign ordinance
26. Adoption of an Environmental Strategy
27. Adoption of the Local Hazard Mitigation Plan
28. Adoption of the Redevelopment 5-year Implementation Plan
29. Selection of Eden Housing, Inc as the City's partner to build an affordable senior housing project
30. Approval of the Veterans Building land use permit
31. Approval of the library application
32. Initiation of the Downtown Strategy
33. Approval of entitlements for the Eden Housing senior housing project
34. Designation of the Downtown as a Priority Development Area
35. Designation of major open space areas as Priority Conservation Areas

Streamlining and improving procedures, processes and information

1. Creation of the Applications Review Committee to triage incoming applications
2. Amendments to the review process so that most applications can be acted upon by the zoning administrator
3. Creation of the assisted-zoning administrator (AZA) process to reduce the Commissions' work loads
4. An updated database to better track the application process
5. Updates to the City's web site to include FAQs and all Planning application forms & handouts
6. Establishment of a procedure for certificates of compliance for existing lots
7. Direct linkage to Permits Plus, the Building Department's permit tracking system, eliminating paperwork to place holds on inspections
8. Updated application forms and handouts
9. Standardization of conditions of approval
10. A new procedure to place holds on framing inspections to better track changes to the approved plans.
11. Digital presentation of applications at Commission meetings.

12. Improved the Planning page on the City's web site by adding the zoning map, examples of good submittals, "Tips for success", and "What to expect at public meetings."

Staff Comments

Revenues and Expenditures

For each of the last six fiscal years, Planning revenues have covered at least 80% of the division's general fund expenditures, but they appear to be dropping from the building / refinancing peak, when fees approached 100% of expenditures.

FY	Revenues Received ($)	General Fund Expenditures ($)[1]	Revenues as % of Expenditures
2002-2003	671,883	820,689	83
2003-2004	830,332	830,872	99.9
2004-2005	745,912	866,436	86
2005-2006	857,545	938,506	93
2006-2007	944,283	966,351	97
2007-2008	853,017	1,010,938	84

In the last five fiscal years, application fees have made up at least half of the division's revenues. This is also true for the first six months of this fiscal year.

FY	Revenues ($)	Building Surcharge ($)	Application Fees ($)	Regional Traffic Fee ($)
2002-2003	671,883	346,727 (52%)	202,354 (30%)	122,802 (18%)
2003-2004	830,332	284,775 (34%)	430,496 (52%)	115,061 (14%)
2004-2005	745,912	274,215 (37%)	421,441 (56%)	50,256 (7%)
2005-2006	857,545	317,979 (37%)	440,262 (50%)	112,901 (13%)
2006-2007	944,283	344,831 (37%)	541,039 (57%)	58,413 (6%)
2007-2008	853,017	340,813 (40%)	476,271 (56%)	35,933 (4%)
2008-2009 (Jul-Dec)	389,398	132,867 (34%)	219,928 (57%)	36,603 (9%)

[1] Includes the planning division, Planning Commission and Design Review Commission budgets. Does not include the code enforcement budget which is fully covered by the Parking and Code Enforcement enterprise fund.

However, compared to prior years and months, revenue from application fees has declined significantly in the last two months. Whether this represents a trend or a deviation is unknown at this time.

Month	Year	Application fees received ($)
July	2007	28,704
	2008	54,665
August	2007	56,376
	2008	50,977
September	2007	40,235
	2008	59,588
October	2007	30,843
	2008	87,721
November	2007	44,562
	2008	**12,548**
December	2007	39,258
	2008	**12,074**

One explanation for this drop could be that in an effort to simplify and streamline the development review process, staff now processes more over-the-counter (OTC) hillside development applications than in previous years. The Applications Review Committee (ARC) process also continues to be useful in minimizing the level of review for all applications, and as a result, many applications that would have previously been considered by the Design Review Commission are now being handled over the counter or by the zoning administrator.

However, if the City were to adopt additional regulations, the number of discretionary applications could potentially increase. As an example, if the house size ordinance is adopted, some over-the-counter (OTC) projects will require City review and will become discretionary applications. Additionally, staff will have to devote more time to these applications to gather data such as the neighborhood average floor area for applicants and potential applicants.

2009 List of Tasks

The 2009 task list mirrors the 2008 list with a few exceptions. Tasks that have been completed have been removed from the list and one new task – updating the City's scenic and conservation easement template – has been added. Taking a cue from Mayor Tatzin's inaugural address, staff has dubbed 2009 as the year in which the long range tasks that have been carried over for one or more years will be completed.

The number of staff hours required to complete the long range planning tasks in this list is estimated at 1,670 hours, which translates to a cost of $292,250[1]. The number of staff hours devoted to the planning counter and planning calls is estimated at 2,080 hours (5 hours of counter and 3 hours of calls per day) which translates to a cost of $364,000. Therefore, the cost of maintaining the current level of customer service and completing the proposed list of tasks is $656,250 or 55% of the planning budget. This does not include planners' work to assist other departments (reviewing draft plans, preparing environmental reports for Parks, Trails and Recreation Department and the Engineering Division, updating the database and maps, etc.)

[1] Using the hourly rate established in the budget of $175/hour

If the number of applications decreases in 2009, staff will finally have the time to complete important studies such as the house size study, green building ordinance, Climate Action Plan, the Eastern Deer Hill Road, inclusionary housing ordinance, Downtown Strategy and the Housing Element. To be consistent with Mayor Tatzin's theme, we are preparing milestone calendars for each of these tasks.

Looking Ahead

We anticipate that in 2010 several new advance planning tasks will arise. Specifically, Lafayette will need to implement the programs contained in the Downtown Strategy and the new housing element. Finally, once the Downtown Strategy and housing element programs are complete, it will be time to comprehensively revise the zoning ordinance and the zoning map. These tasks will require the dedicated attention of at least one full time senior planner and it is our goal to have these tasks completed by the end of 2011.

Additionally in 2010, the Association of Bay Area Governments (ABAG) will be asking for input on population and employments projections for *Projections 2011* - a document that is intended to implement the policies of AB 32 and SB 375. It is anticipated that jurisdictions will have to devote a significant amount of staff resources to meet the new requirements that will come out of these two pieces of legislation.

Recommendation

Approve the work plan for 2009.

Attachment: 2009 Work Plan

Planning Services Division
2009 Work Plan

January 2009

LAFAYETTE
SETTLED 1848 — INCORPORATED 1968

PRIMARY RESPONSIBILITIES

1. Implement the goals of the General Plan.

2. Staff and provide professional recommendations to the Planning Commission, the Design Review Commission, the Downtown Street Improvement Master Plan Implementation Committee and other committees and task forces.

3. Provide assistance to the public in the areas of zoning, planning and other related activities.

4. Process development applications.

5. Conduct long-range planning studies as directed.

6. Process building permit applications.

7. Investigate and resolve code violations.

APPLICATION SUMMARY 2001-2008								
Type	2001	2002	2003	2004	2005	2006	2007[1]	2008[2]
Hillside Dev. Permit	-	40	91	98	104	97	149	123
Design Review	74	65	34	35	40	51	32	40
Variance	34	50	27	34	25	28	27	21
Tree Permit	-	-	2	19	18	19	13	16
Second Unit[3]	-	-	10	11	6	5	5	8
Sign Permit	11	10	16	10	13	6	10	9
Lot Line Revisions	14	7	6	9	10	11	11	8
Land Use Permit	11	16	7	6	13	8	6	5
Minor Subdivision	4	1	4	5	6	6	2	1
Right of Way Abandonment	3	0	0	4	1	0	0	0
Change of Address	13	19	4	-	10	10	5	10
Temporary Land Use	4	6	3	3	3	3	3	3
General Plan Amendment	0	0	2	3	1	0	0	2
Rezone	2	1	2	2	2	0	0	1
Certificate of Compliance	-	-	1	2	1	1	1	0
Tract	2	1	0	2	1	0	0	0
Zoning Text Amendment	0	1	7	1	2	1	2	0
TOTALS	**172**	**217**	**216**	**247**	**256**	**246**	**266**	**247**

[1] Includes 87 Hillside Development Permits issued over-the-counter (OTC) after review with senior staff and/or ARC
[2] Includes 75 Hillside Development Permits issued over-the-counter (OTC) after review with senior staff and/or ARC
[3] Second units were grouped under land use permits prior to 2003

ANNUAL CONSTRUCTION OF HOUSING UNITS BY TYPE

Year	Single Family Units	Multi-Family Units	Second[4] Units	Demolitions	Net Housing Unit Increase	Total Unit Increase By Decade
1980	35	0		0	35	
1981	40	4		1	43	
1982	21	3		0	24	
1983	31	0		0	31	
1984	33	32		1	64	
1985	31	0		0	31	
1986	57	16		6	67	
1987	54	0		8	46	
1988	61	8		7	62	
1989	40	0		6	34	
						437
1990	23	13		9	27	
1991	25	0		14	11	
1992	17	0		7	10	
1993	13	0		0	13	
1994	16	5		0	21	
1995	21	6		0	27	
1996	21	0		0	21	
1997	35	0		0	35	
1998	44	0		0	44	
1999	29					
						238
2000	29	75		0	104	
2001	19	0		18	1	
2002	21	11		19	13	
2003	20	0		12	8	
2004	7	9	1	6	11	
2005	20	0	3	3	20	
2006	14	0	4	11	7	
2007	19	0	4	5	18	
2008	14	0	2	10	6	
2009						

[4] Second units were not listed as a separate dwelling unit type until 2004.

COMMISSION & COMMITTEE AGENDA LOAD 2001-2008

Commission	2001	2002	2003	2004	2005	2006	2007	2008
Planning								
1. No. of meetings	28	28	29	25	27	24	25	23
2. No. of items considered	116	122	84	115	70	78	77	60
3. No. of new applications considered	47	37	44	40	34	42	33	34
Design Review								
1. No. of meetings	19	29	33	27	28	28	25	20
2. No. of items considered	129	166	165	215	143	150	124	110
3. No. of new applications considered	43	57	88	68	65	72	52	39
DSIMPIC								
No. of meetings	5	6	7	4	4	0	2	1

ZONING ADMINISTRATOR AGENDA LOAD 2001-2008

Zoning Administrator	2001	2002	2003	2004	2005	2006	2007	2008
No. of meetings	n/a	22	28	28	21	24	22	19
Number of applications	56	60	54	61	53	51	40	35

CODE ENFORCEMENT LOG 2008										
Month	Building Code & Zoning	RVs, Boats Trailers and Vehicles	Noise	Signs	Home Business	Encroachment in Public Right of Way	Trees	Livestock	Illegal Dumping	Residential Nuisance
January							2			3
February	2	3					2			5
March	1	1	3			2	1			4
April	3	2					1			3
May	2	1								5
June	3	1					1		1	1
July	1	3		1			2		1	4
August		1	1	1			1			3
September	1	3	1	2		2	1	1	1	2
October	1	2		10						1
November	1	2		5		1	1			2
December		2		1			2			1
Year End Totals	**15**	**21**	**5**	**20**	**0**	**5**	**14**	**1**	**3**	**34**

REVENUES AND EXPENDITURES

PLANNING REVENUES BY FISCAL YEAR			
FY	Total Revenues Received ($)	Total General Fund Expenditures ($)	Revenues as a % of Expenditures
2002-2003	671,883	820,689	83
2003-2004	830,332	830,872	99.9
2004-2005	745,912	866,436	86
2005-2006	857,545	938,506	93
2006-2007	944,283	966,351	97
2007-2008	853,017	1,010,938[5]	84

REVENUE BREAKDOWN BY FISCAL YEAR				
FY	Total Revenues Received ($)	Building Surcharge Collected ($)	Application Fees ($)	Regional Traffic Fee ($)
2002-2003	671,883	346,727 (52%)	202,354 (30%)	122,802 (18%)
2003-2004	830,332	284,775 (34%)	430,496 (52%)	115,061 (14%)
2004-2005	745,912	274,215 (37%)	421,441 (56%)	50,256 (7%)
2005-2006	857,545	317,979 (37%)	440,262 (50%)	112,901 (13%)
2006-2007	944,283	344,831 (37%)	541,039 (57%)	58,413 (6%)
2007-2008	853,017	340,813 (40%)	476,271 (56%)	35,933 (4%)
2008-2009 (Jul-Dec)	389,398	132,867 (34%)	219,928 (57%)	36,603 (9%)

[5] Includes the planning division, Planning Commission and Design Review Commission budgets. Does not include the code enforcement budget which is fully covered by the Parking and Code Enforcement enterprise fund.

2008 TASK LIST: YEAR END REVIEW

No.	Task	Status in December 2008	Revised Completion Date
1.	Downtown Strategy	Draft Plan is being prepared by WRT. Public review begins in January.	November 2009 (including CEQA)
2.	Regulating house size	Updates to the Design Review and Planning Commissions in January 2009 and meetings w/ homeowners associations to test support for draft tools. Public hearings beginning in March.	June 2009
3.	Eastern Deer Hill Road General Plan amendment	Received direction from City Council in October 2008. Task to return to City Council in February 2009 with update based on input from property owner.	Start environmental review in May 2009; zoning amendments to Council by September 2009
4.	Development fees audit: Upgrading of existing walkways and drainage impact fees and creation of new impact fees	Seifel Consulting has completed the drainage impact fee analysis ; working on walkways fee; hearings in March 2009	June 2009
5.	Bollinger Development Agreement (DA)	Preliminary negotiations completed. Awaiting draft DA and rezone application	Schedule dependent on property owner
6.	Develop local CEQA guidelines	Some preliminary work done	December 2009
7.	ABAG's regional housing allocations/Housing Element update	Draft element ready by January 2009; hearings in February-March 2009	June 2009
8.	Adopt an inclusionary housing ordinance and in-lieu fees	Council approved the key components and directed staff to prepare an ordinance; public hearings to begin in March 2009	August 2009
9.	Senior Housing: (1) Eden Housing project	Project approved	Completed
10.	Senior Housing General Plan amendment: consideration of an overlay district to allow higher densities for senior housing	Preliminary research completed	July 2009
11.	Monitoring of developments in neighboring jurisdictions: Palos Colorados, Rancho Laguna, Bollinger Valley (Moraga) and Moraga Downtown Specific Plan (SP)	In 2008, Lafayette reviewed and responded to Moraga SP and Rancho Laguna DEIRs. Negotiations on the final conditions for Palos Colorados are underway	Ongoing

No.	Task	Status in December 2008	Revised Completion Date
12.	Housing element tasks carried over from 2007 (amendments to residential zoning districts and establishment of a housing fund)	Tasks are incorporated into the new housing element	Completion dates will be established in new element that is due to be completed in June 2009
13.	Green building policies	Proposed program with ordinance to be introduced in February-March	Ordinance adopted by September 2009
14.	Regulation of fences and other structures in front yards and/or in the City right-of-way	Not started	September 2009 – March 2010
15.	Update Municipal Code chapters 1-9, 6-23, and 8-21 regarding code enforcement to establish administrative fines, etc. and appeals fees; update outdoor storage language as it pertains to vehicle definitions; and, incorporate the changes into Chapter 8-21 for uniform enforcement, respectively.	Nearing completion	March 2009
16.	Apply for grants including: a) MTC's Station Area Planning ("SAPP") b) Prop 1C Incentive Infill Funds	a) Ongoing. b) Ongoing.	a) Implement SAPP deliverables (CEQA) April – November 2009 b) No application submitted; there are no qualifying development projects.
17.	Update the growth management element of the General Plan	Preliminary research completed	June 2009
18.	Zoning text amendment regarding horticultural uses in the R-100 district	Preliminary draft language prepared by staff. Defer public review to 2009.	June 2009
19.	Program H-5.3.1: Annual Report. Prepare an annual report to the City Council and Planning Commission that describes the amount and type of housing activity correlated with an updated summary of the City's housing needs	Task reassigned to housing consultant	March 2009
20.	Program H-2.8.1: Housing Rehabilitation (use RDA funds to assist in rehab of existing multi-family units).	Program was not utilized this year	Ongoing
21.	Program H-3.1.4: Available Funding (supporting efforts to obtain State and federal assistance for housing for seniors, large families and households with children).	Assisted Eden Housing in 2008	Ongoing
22.	Program H-3.1.3: Tax-Exempt Financing (require developers who apply for tax exempt financing to allow persons eligible for federal assistance to apply for below market rate units)	Program was not utilized this year	Ongoing

No.	Task	Status in December 2008	Revised Completion Date
23.	Program H-4.1.2: Nondiscrimination Clauses. Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance	Assisted Eden Housing in 2008	Ongoing
24.	Prepare application to designate significant ridgeline areas as Priority Conservation Areas	Application filed and Lafayette and Burton Ridges designated as Priority Conservation Areas	Completed
25.	Prepare a Climate Action Plan	Not started	September 2009

2009 DRAFT TASK LIST

No.	Task	Additional Funds Needed	Funding Source	Estimated Staff Time (hours)	Completion Date
1.	Downtown Strategy	None	Redevelopment Agency MTC/ABAG	200	November 2009 (including CEQA)
2.	Housing Element update	None	N/A	120	June 2009
3.	Housing element: implementation of programs from the new housing element	Request will be made for FY09/10 budget. Amount to be determined after approval of housing element.	Redevelopment Agency	200	Completion dates will be established in new element that is due to be completed in June 2009
4.	Regulating house size	None	N/A	100	June 2009
5.	Inclusionary housing ordinance and in-lieu fees	None	N/A	100	August 2009
6.	Eastern Deer Hill Road General Plan amendment	None	N/A	120	Start environmental review in May 2009; zoning amendments to Council by September 2009
7.	Local CEQA guidelines	None	N/A	200	December 2009
8.	Senior Housing General Plan amendment	None	N/A	150	July 2009
9.	Growth management element update	None	N/A	100	June 2009
10.	Development fees audit: Upgrade of existing walkways and drainage impact fees	None	N/A	40	June 2009
11.	Development fees: consideration of new impact fees such as a Capital Facilities fee	Request will be made for FY09/10 budget.	General Fund	200	June 2010
12.	Green building policies	None	N/A	80	September 2009
13.	Prepare a Climate Action Plan	None	N/A	100	September 2009
14.	Bollinger Development Agreement (DA)	None	N/A	70 for processing the DA. Rezone-paid by applicant	Schedule dependent on property owner

2009 DRAFT TASK LIST					
No.	**Task**	**Additional Funds Needed**	**Funding Source**	**Estimated Staff Time (hours)**	**Completion Date**
15.	Regulation of fences and other structures in front yards and/or in the City right-of-way	None	N/A	80	September 2009 – March 2010
16.	Update City's conservation and scenic easement documents	None	N/A	40	December 2009
17.	Zoning text amendment regarding horticultural uses in the R-100 district	None	General Fund	40	June 2009
18.	Municipal Code updates to chapters 1-9, 6-23, and 8-21 regarding code enforcement to establish administrative fines, etc. and appeals fees; update outdoor storage language as it pertains to vehicle definitions; and, incorporate the changes into Chapter 8-21 for uniform enforcement, respectively.	None	N/A	40	March 2009
19.	Annual Housing Report.	None	N/A	40	March 2009
20.	Monitoring of developments in neighboring jurisdictions	None	N/A	unknown	Ongoing
21.	File grant applications and implement deliverables. Grants include: a) MTC's Station Area Planning ("SAPP") b) Prop 1C Incentive Infill Funds	None	N/A	150+/- depending on the number of grants	a) November 2009 b) N/A